

Remarks**Status of Claims:**

Claims 1-17 and 20-21 are pending in the application. Each claim defines an invention that is novel and unobvious over the cited art. Favorable consideration of this case is respectfully requested.

Rejection Under 35 U.S.C. § 102(b):

Claims 1, and 3-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ngo (6,528,432) with Linn (5,833,758) cited to show inherent properties.

The Applicant hereby submits a Declaration under 37 CFR 1.131 to attest to a date of conception and provide evidence of diligence prior to the Ngo filing date.

Ngo was filed December 5, 2000 and does not claim any earlier priority. Figure 1 of the present application comprises two electron micrographs each with identifying indicia applied by the camera system. Each micrograph is dated 13-Jul-00 (July 13, 2000). The dates of the electron micrographs provide evidentiary support for conception and diligence prior to the filing of Ngo.

The dates support the declaration under 37 CFR 1.131, swearing behind, and thus disqualifying Ngo.

Rejection Under 35 U.S.C. § 103(a):

Claims 11-16 were rejected under 35 U.S.C. § 103(a) as being anticipated by Ngo (6,528,432), with Linn (5,833,758) cited to show inherent properties, and further in view of Allen (5,985,524).

Claims 4-6 were rejected under 35 U.S.C. § 103(a) as being anticipated by Ngo (6,528,432), with Linn (5,833,758) cited to show inherent properties, and further in view of Ni (6,465,159).

As discussed above, in context of the § 102 rejection, the Applicants swear behind Ngo.

Conclusion:

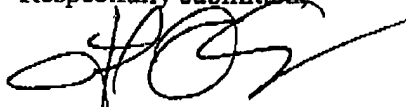
In view of the above, consideration and allowance are, therefore, respectfully solicited.

Accordingly, it is respectfully requested that the foregoing amendments be entered, that the application as so amended receive an examination on the merits, and that the claims as now presented receive an early allowance.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this communication, including any extension fees or fees for the net addition of claims, to Deposit Account No. 22-0185.

Respectfully submitted,



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